

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

A.M., through her Guardian ad Litem,
JOLEEN YOUNGERS,

Plaintiff,

vs.

No. CIV 13-0692 JB/WPL

NEW MEXICO DEPARTMENT OF HEALTH;
LOS LUNAS CENTER FOR PERSONS WITH
DEVELOPMENT DISABILITIES;
ROGER ADAMS, individually and in his capacity
as an agent for the New Mexico Department of Health;
BETH SCHAEFER, individually and in her capacity
as an agent for the New Mexico Department of Health;
DAN SANDOVAL, individually and in his capacity
as an agent for the New Mexico Department of Health;
JOSEPH MATEJU, individually and in his capacity
as an agent for the New Mexico Department of Health;
NEW MEXICO AGING AND LONG-TERM SERVICES
DEPARTMENT; and THE ADULT PROTECTIVE
SERVICES DIVISION OF NEW MEXICO AGING
AND LONG-TERM SERVICES DEPARTMENT,

Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on: (i) the Memorandum Opinion and Order, filed December 5, 2014 (Doc. 75)(“Memorandum Opinion and Order Dismissing in Part A.M.’s Substantive Due Process Claims”); (ii) Order, filed March 12, 2015 (Doc. 78)(“Order Dismissing A.M.’s First and Fourth Amendment Claims”); (iii) Order, filed March 12, 2015 (Doc. 80)(“Order Dismissing A.M.’s Court Access Claims”); (iv) Order, filed March 12, 2015 (Doc. 81)(“Order Dismissing A.M.’s Thirteenth Amendment Claim”); (v) Order, filed September 24, 2015 (Doc. 115)(“Order Dismissing in Part A.M.’s Procedural Due Process Claims”); and (vi) Memorandum Opinion and Order, filed February 29, 2016 (Doc. 172)(“Order Adopting the

Magistrate Judge's PFRD"). In the Memorandum Opinion and Order Dismissing in Part A.M.'s Substantive Due Process Claims, the Court dismissed A.M.'s substantive due-process claims under the Fourteenth Amendment to the Constitution of the United States of America as to Defendants Dan Sandoval, Roger Adams, Joseph Mateju, and Beth Schaefer's conduct that occurred before June 18, 1982. See Memorandum Opinion and Order Dismissing in Part A.M.'s Substantive Due Process Claims at 1-2. In the Order Dismissing A.M.'s First and Fourth Amendment Claims, the Court dismissed A.M.'s claims under the First Amendment and Fourth Amendment to the Constitution of the United States as to Sandoval, Adams, Mateju, and Schaefer. See Memorandum Opinion at 1-2, filed July 17, 2015 (Doc. 96). In the Order Dismissing A.M.'s Court Access Claims, the Court dismissed A.M.'s court access claims under the First Amendment and Fourteenth Amendment to the Constitution of the United States as to Sandoval, Adams, Mateju, and Schaefer. See Memorandum Opinion, filed December 7, 2015 (Doc. 156). In the Order Dismissing A.M.'s Thirteenth Amendment Claim, the Court dismissed A.M.'s claim under the Thirteenth Amendment to the Constitution of the United States as to Sandoval, Adams, Mateju, and Schaefer. See Memorandum Opinion, filed May 15, 2015 (Doc. 89). In the Order Dismissing in Part A.M.'s Procedural Due Process Claims, the Court dismissed in part A.M.'s procedural due-process claims under the Fourteenth Amendment to the Constitution of the United States as to Sandoval, Adams, Mateju, and Schaefer. See Memorandum Opinion, filed December 7, 2015 (Doc. 157). In the Order Adopting the Magistrate Judge's PFRD, the Court accepted and adopted the Magistrate Judge's Proposed Findings and Recommended Disposition, filed February 12, 2016 (Doc. 169), as the parties proposed to amend it, as its own.

IT IS ORDERED that: (i) A.M.'s Amended Original Complaint for Damages, filed July 26, 2013 (Doc. 1-2), is dismissed; and (ii) final judgment is entered.



UNITED STATES DISTRICT JUDGE

Counsel:

Nancy L. Simmons
Law Offices of Nancy L. Simmons, P.C.
Albuquerque, New Mexico

Attorney for the Plaintiff

Stephen S. Hamilton
Alexia Constantaras
Montgomery & Andrews, P.A.
Albuquerque, New Mexico

Attorneys for the Defendants